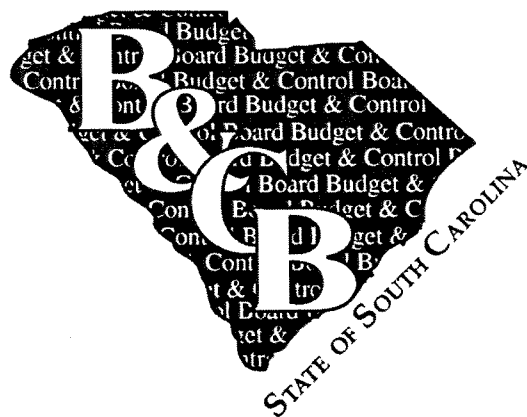


**May 31, 2004**

# State Government News Summary



**Prepared by the Budget and Control Board  
Office of the Executive Director**



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Posted on Mon, May. 31, 2004

## Environmental bills on hold

**Legislators have only until Thursday to act on bills to regulate wetlands, chicken farms**

By SAMMY FRETWELL  
Staff Writer

A handful of major environmental bills remain in limbo as the S.C. General Assembly goes into its final week of the year.

The fate of bills that would loosen wetlands protections, relax rules on factory chicken farms and ease water pollution test requirements for industry will be decided by the end of the legislative session Thursday.

Legislators also must determine the outcome of a bill championed by Attorney General Henry McMaster that would make it easier to prosecute criminal polluters. McMaster spokesman Trey Walker said Friday a deal is in the works to get the bill approved.

Environmentalists say business groups have been particularly forceful this spring in their push to pass laws favorable to industry and to stop the polluter prosecution bill.

Most of the bills at issue were introduced last year, and any that don't pass by Thursday must be reintroduced next year to begin the long legislative process again. Some have been before the legislature in different versions for years.

"It's been a bloody year for us environmentalists," the Sierra Club's Bob Guild said.

Business organizations and some lawmakers say they're looking for reasonable regulations that don't unduly burden people.

State Rep. W.D. "Billy" Witherspoon, who represents part of the booming Myrtle Beach area, has been at the forefront of many battles, particularly on wetlands.

One bill would begin a permitting program for isolated wetlands, which are soggy depressions such as Carolina Bays not directly linked to rivers or streams.

"This is needed by development and real estate people," said Witherspoon, R-Horry. "A lot of it is property rights. Nobody in the development community would disagree with this bill."

Isolated wetlands cleanse polluted stormwater, control flooding and harbor an array of wildlife, such as salamanders, birds and frogs. The state has more than 300,000 acres of isolated bogs, mostly on the coast. Wetlands often spark disputes between developers and environmentalists because the watery depressions can get in the way of construction projects.

A 2001 U.S. Supreme Court ruling made it more difficult for the federal government to regulate wetlands. So the state has been trying to enact rules to restore some of the protections.

But the proposed regulations have sparked heated disputes, with some environmental groups charging that the bill will make it even harder to protect the bogs.

Backed by real-estate developers and home builders, the bill focuses on regulating only large isolated wetlands. Smaller ones could be filled without state permission. The original version of the bill said only isolated wetlands larger than 5 acres needed permits.

The bill also exempts the S.C. Department of Transportation, which often fills vast wetland acreage while building roads.

One version of the bill says the state must issue an isolated wetlands permit if property would have no economic value

without the permit.

The measure is expected to come up for a vote in the House on Tuesday.

Opponents of the legislation include the S.C. Coastal Conservation League, the S.C. Wildlife Federation, the Sierra Club and the S.C. Department of Health and Environmental Control, the state's chief wetlands regulatory agency.

Wetlands, however, aren't the only unresolved issue:

- Supporters of the poultry industry are pushing an amendment that would free large animal farms from environmental regulations by local governments. The amendment is attached to a bill that received some debate in the Senate two weeks ago, and should come up Tuesday.

Poultry interests have been trying since 1995 to get the bill passed, but legislators have been reluctant to do so because it could mean fewer restrictions on polluting, factory-style hog farms. The proposal does not restrict counties from regulating hog farms.

- A bill to drop certain water pollution tests for the state's major industries and sewer systems appears on track to pass the Legislature. That bill, backed by the S.C. Manufacturers Alliance, would eliminate a test that relies on flea-reproduction rates to determine if a company's wastewater is too toxic to pump into a river. The U.S. Environmental Protection Agency says the test is a proven method for looking for pollution. The agency has threatened to begin denying pollution discharge permits for industry if the Legislature passes the bill.

- A bill to extend state grand jury authority to cover environmental crimes might go down to the wire. A deal in the works gives the bill a "glimmer of hope," Walker said. Opponents of the bill were negotiating to drop their objections in exchange for Senate passage of a tort reform bill, he said.

While the federal government has made some high-profile criminal cases against polluters, McMaster said the state could do more with grand jury powers. The statewide grand jury would be able to subpoena records and force testimony.

McMaster and state Sen. Jake Knotts, R-Lexington, say the S.C. Chamber of Commerce's opposition to the bill would allow companies that willfully pollute the environment to escape prosecution. The chamber has expressed concern that it would allow overzealous prosecution of law-abiding companies.

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Posted on Mon, May. 31, 2004

## Colleges' boards fail on diversity

**Some lawmakers call for changes in process to include more women, minorities**

**By JEFF STENSLAND**  
Staff Writer

Demetria Clemons remembers back in the 1980s when she met Merl Code, a former municipal judge who was one of three African-Americans on the College of Charleston's board of trustees.

"I remember thinking, 'Oh my goodness, how did you get here?'" said Clemons, a graduate and at the time the school's director of housing.

Now a middle school principal in Richland District 1, Clemons recently was elected to serve on the board of the College of Charleston.

Almost 20 years after meeting Code, she is the school's only black trustee.

Look around the table at most board meetings at S.C. public colleges these days, and one thing becomes obvious — the faces don't look much like the student populations they oversee.

Board members elected by the General Assembly are overwhelmingly white men, even though women and minorities combined make up the majority of today's college students.

That is causing some to call for a change in the way the state's education elite are chosen.

"I think it's a matter of the status quo, and the problem is there's very little will in the General Assembly to change the status quo," said Rep. Gilda Cobb-Hunter, D-Orangeburg.

But some say lawmakers are only part of the equation.

Linda Salane, director of Columbia College's Leadership Institute, said fixing the problem partly hinges on changing a culture mired in a tradition where women and minorities take a back seat.

"All of us wish this issue would take care of itself, but there's a growing realization that it won't without some kind of activist movement," Salane said.

### UNEQUAL REPRESENTATION

The issue of trustee diversity was thrust to the forefront last month after USC trustee Helen Harvey, the board's only elected woman, lost her re-election bid.

Harvey, wife of former Lt. Gov. Brantley Harvey, had served for more than a decade. On the eve of her defeat, Harvey warned it would "send the wrong message" if all the elected trustees were men.

An analysis by The State newspaper shows USC is not the only public college whose leadership doesn't reflect the gender and racial makeup of its enrollment.

In fact, none of them do.

Of the 122 trustees elected by the General Assembly to govern the state's 10 public four-year colleges and research universities, 19 are women.

Nationally, women hold about one-third of all trusteeships, according to a recent survey.

African-Americans, who make up a smaller percentage of enrollment at the state's public colleges, hold 18 of 122 elected posts. But the majority of those seats are at the historically black South Carolina State University.

The gender and racial disparities are most pronounced at USC, Clemson University and the Medical University of South Carolina — a triumvirate that wields more influence than all other state colleges combined.

Out of 35 trustees elected by the General Assembly to serve at those three schools, two are black and one is a white female.

"It's outrageous," Cobb-Hunter said. "Those three schools (USC, Clemson, MUSC) are the top bananas, and they don't want to share power with the have-nots."

That sentiment is shared by those who compare the lack of diversity on college boards to the controversy surrounding the scant number of black judges in South Carolina.

"It's the exact same scenario, and unless the General Assembly develops a change of heart, we're going to continue to have these issues," said Rep. Leon Howard, D-Richland, who is sponsoring a bill to increase the number of black judges.

Advocates for change say college boards don't need to operate on quota systems. But ones that include men and women, young and old, black and white can help minimize "group think" and generate innovative ideas, said Richard Novak, executive director of the Washington, D.C.-based Center for Public Higher Education Trusteeship and Governance.

Trustees in South Carolina have tremendous power over individual institutions and, among other things, are responsible for setting tuition and approving budgets and new academic programs.

Novak said diversity doesn't ensure good decision-making, but it helps.

"You don't want people coming to these boards who feel they have to represent only a certain constituency," he said. "But what you hopefully get with a diverse board is a richness of opinion and perspectives."

#### 'EVERYBODY WANTS TO SHAKE YOUR HAND'

Mamie Nicholson, elected to the board of Lander University in 1996, understands what it takes to become a trustee in South Carolina.

"It's politics," said Nicholson, one of three black women elected by the General Assembly to serve as a trustee.

Nicholson, whose husband, Floyd Nicholson, has been the mayor of Greenwood for a decade, slowly built up an impressive resume through her work on local and statewide boards.

That, she said, is the key to racking up votes in the General Assembly.

"You've got to get your name out there, and you also need to have a record of public service," she said.

It can be painstaking, particularly when running for highly prized seats at prestigious schools.

"It's very time-consuming and grueling," said Sen. Vincent Sheheen, D-Kershaw. "(Candidates) literally have to camp out at the General Assembly. It's like (us) running a gantlet when these races are being decided, because everybody wants to shake your hand."

That intensive electioneering for trustee seats makes South Carolina somewhat unique.

A smattering of trustees are appointed by the governor — two on USC's 17-seat board, for example. But the Palmetto State is one of only a handful where the overwhelming number of members is elected by the state legislature.

Most states leave appointments up to the executive branch and route them through the governor's office.

Novak, of the higher education center, got a first-hand glimpse of the process when he stopped by the State House this spring for a study of the state's higher education system he was conducting.

What he saw was self-promotion by trustee wannabees.

"I saw this guy walking around, and he had on this name tag, but it was a really nice, professional, hard-plastic one," Novak said. "He was a trustee candidate. It was a little strange."

Some say it wasn't always that way. Code, the former College of Charleston trustee, said college administrators once more actively promoted candidates they believed should serve the school.

Now school officials, who rely on the General Assembly for their budgets, generally stay out of the business of backing individual trustee candidates.

"The whole process of serving is becoming more of a litmus test of political affiliation," said Code, now a Greenville attorney.

Whatever the reason, critics say the problem appears self-perpetuating: The less access women and minorities have to leadership roles, the less likely others will seek positions of authority.

"I know very successful women who wouldn't have a clue how to get elected," Columbia College's Salane said. "If we're going to continue to do it this way, we have to teach women how the game is played."

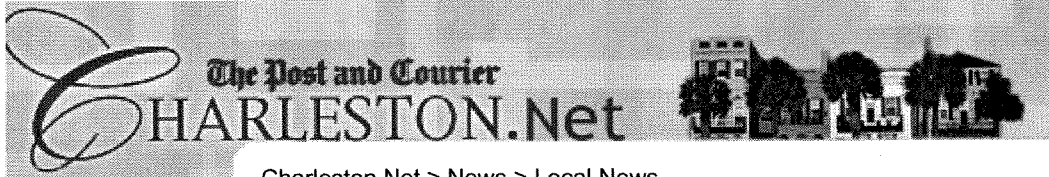
Until then, trustees like Clemons at the College of Charleston will remain a rarity.

Clemons will attend her first board meeting in June. She said she's a little nervous, but not because she will be the only black person at the table.

"I've been in settings like that since I was in ninth grade, so I don't really even see color anymore," she said. "I'm more concerned about serving in the proper way."

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**LOCAL NEWS** The Post and Courier

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*Story last updated at 9:01 a.m. Monday, May 31, 2004*

## Beasley trying to resuscitate political career that collapsed

**BY SCHUYLER KROPP**  
 Of The Post and Courier Staff

Inside the Mount Pleasant Holiday Inn, former Gov. David Beasley is delivering his stump speech to a lunch-time gathering of Republicans.

After being absent from the state's political stage for six years, he moves quickly to remind everyone in the room of his achievements in office while sidestepping how his career came to a crashing halt.

Funding for the new Cooper River bridge? "Sen. (Arthur) Ravenel and I pushed that through the Legislature," Beasley tells his audience.

The \$2 billion statewide property tax cut? Beasley says he deserves part of the credit for getting that done, too.

To heighten the effect, and underline the fact he was once the state's top executive, Beasley adds, "Charlie, you remember that."

He points toward former Attorney General Charlie Condon, now a rival for the nomination for the U.S. Senate seat being vacated by Demo-crat Fritz Hollings.

Beasley is trying to jump-start a political career that looked unstoppable in 1994 but collapsed a scant four years later when he became the first South Carolina governor ever voted out of office.

It was Beasley's only political loss in a career that started with his victory in a State House of Representatives race while he was still a student at Clemson University. This race is about redemption.

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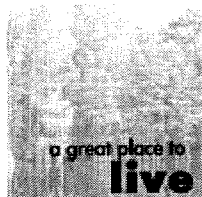
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"I think people are smart enough to recognize what defeated Gov. Beasley in 1998 was money that came from video poker and the Confederate flag," Beasley said during a recent interview, speaking in the third person.

"Now, not only are those issues gone," Beasley added, "but I think most people are saying he was right about them both."

Since that loss, friends say they've seen a rebirth in the man almost universally seen as the favorite to win his party's nomination on June 8. "I think he's relaxed, but I think he's determined," said Berkeley County Supervisor Jim Rozier.

Rozier is backing Beasley because, as governor, Beasley was ready at a moment's notice when a prospective business showed interest in coming to Berkeley County.

"When I needed him he was Johnny-on-the-spot," said Rozier. "If it was economic development and if it was going to create jobs, David made himself available."

Rozier said Beasley's agenda as governor was largely misconstrued, which led to his downfall. "I think the problems people had with him would have been better understood in a second term," Rozier said.

During the mid-1990s it seemed incomprehensible that Beasley could lose the governor's mansion after entering office as the hand-picked successor to popular Republican Gov. Carroll A. Campbell Jr.

Working with fellow Republicans in the Statehouse, Beasley saw taxes reduced, the crime rate fall, welfare reform enacted and business recruitment grow.

Then, as in South Carolina version of a Shakespearean tragedy, came the fall. Without consulting GOP allies, Beasley went on television and called for removing the Confederate flag from the Statehouse dome, where it had become a rallying point for some Republicans. He suggested it be moved to the Confederate soldier's monument.

Many Republicans said Beasley was breaking a pledge not to touch the flag and was also going against a non-binding referendum from the 1994 primary in which three-quarters of the GOP voters said they wanted the flag to stay where it was.

Additionally, Beasley picked a fight with the video-gambling industry only to discover he was outgunned. In his 1998 State of the State speech, Beasley labeled the video gambling industry "a cancer" and vowed to vanquish it. The industry responded by throwing millions of dollars behind Democratic long-shot Jim Hodges. On election night 1998, Beasley was swept aside.

After that loss, Beasley followed paths chosen largely to help heal his political wounds. He moved his family to Boston, seeking seclusion as a guest lecturer at Harvard University. He volunteered with the International Rescue Committee and visited

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refugee camps in Macedonia.

Last year, he accepted the John F. Kennedy Profile in Courage Award for his support of removing the Confederate flag.

Back home in Society Hill, Beasley seemed to abandon politics in favor of his wife, Mary Wood (who almost died in her last childbirth), their four children and the \$900,000 he was earning a year marketing municipal bonds for Wall Street giant Merrill Lynch.

That tranquility began to change last year when Columbia-based political consultant Richard Quinn started taking polls and began fueling a campaign to draft him into the race. It was a time when none of the other five Republican candidates were sparking much enthusiasm.

At first, Beasley was reluctant. "We were fighting this thing. Mary Wood and I were like, 'No, no, no,' " he said. The negatives switched to affirmative in February when Beasley entered the race, pegging his campaign on two prongs: battling uncertainty in the economy and joining the war on terrorism.

"If these were normal times where the economy was great and national security wasn't an issue, you couldn't have convinced me to run this race," he said.

On the stump, Beasley echoes many of the same Republican themes as his opponents. He favors a wide range of tax cuts, stronger trade agreements and a constitutional amendment to keep the phrase "under God" in the Pledge of Allegiance. That stance is expected to regenerate support from the Christian right who backed him overwhelmingly in 1994.

Sometimes, though, he seems to get ahead of himself. Earlier this month at a forum in Charleston, Beasley aimed harsh words at the likely Democratic Party nominee, state Superintendent of Education Inez Tenenbaum.

"Tenenbaum is truly a liberal," he said.

Today, Beasley sees a positive in losing the governor's race, saying his stances against the Confederate flag and video poker show he was on the right side of history.

"I think the number one thing people are looking for today is a leader who will do what's right, regardless of the political consequences," he said.

As a senator he promises the same leadership he gave as governor. "Only this time I come more seasoned, wiser and smarter," he said.

## **DAVID BEASLEY**

**AGE:** 47

**RESIDENCE:** Society Hill

**FAMILY:** Wife, Mary Wood; four children, Mary Hunter, Sarah Catherine, David Jr., Ross

**EDUCATION:** University of South Carolina; USC Law School  
1983

**PHONE NUMBER/E-MAIL ADDRESS:** (803) 400-1606;  
david@beasleyforsenate.com

**OCCUPATION:** banker

**POLITICAL EXPERIENCE:** state House of Representatives  
1979-92; governor 1994-98.

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Posted on Mon, May. 31, 2004

## Pair spar yet again to be voice of District 1 folks

### Batchelder, Brown face off on spending

By Zane Wilson  
The Sun News

Challenger Bob Batchelder isn't shy about lambasting incumbent U.S. Rep. Henry Brown, whose job Batchelder is seeking for the third time.

Batchelder, a Socastee resident, says Brown does whatever President Bush asks Congress members to do.

"It doesn't matter what's best for the district, it doesn't matter what's best for the country, and I don't want somebody like that representing me in Congress," Batchelder said.

Brown, on the other hand, says Batchelder twists the truth about issues and has nothing to offer compared with Brown's experience in state and federal government.

"I've done a great job for this district. I work hard, and I'll continue to work hard," Brown said. "I run on my record. He can run on his record, too."

Batchelder thinks he has a chance because he got 27 percent of the vote two years ago, 37 percent in Horry County. Brown said he thinks he lost those votes because that was the first time he ran for re-election, and he thinks he has proved himself to the voters now.

The two face each other June 8 in the Republican primary. The winner most likely takes the seat because Democrats are not contesting it.

### Bob Batchelder

Batchelder, 53, ran four years ago for the seat under the Reform Party banner but said he had been a Republican most of his life. He switched back to the GOP a year later, then ran against Brown two years ago.

A grocery manager for Winn-Dixie who expects to be laid off soon as the company exits the area market, Batchelder has followed national issues for years and says he belongs in Congress even though he has had no local or state government experience.

Batchelder said he is the true Republican in the race who will help stop the overspending.

"We have the highest debt we have ever incurred," and it has gone from \$5.7 trillion when he first ran to \$7.1 trillion today, he said. Some say it's the war, but he doesn't cite that.

Republicans are "going on a spending spree in Congress that I think is absolutely abominable," Batchelder said. And Brown is part of it, he said, sending some \$200 million to the 1st District for projects.

"This is not fiscal responsibility; this is abuse of public tax dollars," Batchelder said.

But he does agree that public money should be used for beach renourishment.

"It's a national shoreline, not just a shoreline of South Carolina, and should be protected," he said.

Despite Brown's work in getting \$5.5 million for Interstate 73, Batchelder said it isn't enough. Brown isn't putting the time and energy into the project that it needs, Batchelder said.

He said that out of the \$200 million Brown brought to the district, Charleston got 60 percent of it.

Batchelder said he can do better for the district.

"All I want to do is make a difference," he said.

## **Henry Brown**

Brown, 68, of Hanahan, calls himself the workhorse and points to his record of public service including six years on Hanahan City Council, 16 years in the state House of Representatives including six years as chairman of the powerful Ways and Means Committee, and now two terms in Congress.

He has not missed a day since he was elected, he said.

Brown laughs at Batchelder's criticism of the \$200 million he brought back to the district. That's what people want and expect, and it shows he is effective, he said.

Brown said Batchelder's accusation of where the money went is fabricated. Horry County got more of the money than any other county in the district, he said.

He brought in the first money ever allocated to I-73 and is proud of it and is sure he will get more, Brown said. He is a member of the Transportation Committee that helps decide how to spend road money.

Batchelder has said Brown does whatever the Bush administration wants. Brown says that isn't true: He pushed hard to get Bush to approve more road spending, he said.

But he does agree with Bush most of the time and tries to help with his programs.

"I feel like he's our leader, if we're going to get anything done, we need to do it through him," Brown said.

He also disputes Batchelder's accusation that he spends too much and isn't a true Republican. He cites his recent 87.5 percent conservative voting record rating from the National Journal, which he said is 32nd-highest in Congress.

Brown said his work to build coalitions and friendships with the people who make decisions on money for roads, beach renourishment, harbor and waterway dredging has helped the district. A newcomer would not have those ties, he said.

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## Sanford's gimmick

Posted Sunday, May 30, 2004 - 10:48 pm

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*The pigs should have stayed on the farm.*

Pigs don't belong in the lobby of the state House of Representatives, and Gov. Mark Sanford should not have brought them there. It was a silly gimmick, and House members cannot be blamed for assuming the governor was trying to embarrass them.

Sanford was displeased because the House rushed through his 106 budget vetoes and only sustained him on one of them. He said he took the two pigs to the House lobby Thursday to have a little fun while pointing out the Legislature passed a budget bill that contained some pork-barrel spending.

The governor's stunt soiled more than the floor of the House lobby where a pig responded to the call of nature. He also soiled his relationship with the House leadership, which has generally been supportive of his policy proposals, though not necessarily his leadership style.

House Speaker David Wilkins, R-Greenville, called the governor's behavior "insulting" and "childish." He put the appropriate labels on the governor's actions. But in a act of statesmanship, Wilkins told *Greenville News* reporter Dan Hoover that he would continue to try to work with the governor, "but this certainly doesn't help."

No, it doesn't. At the end of the day, Gov. Sanford needs legislative support to advance his agenda. The House has passed a number of Sanford's bills, only to send them to the Senate where they have been buried. The governor grabbed headlines with last week's pig prank, but at the expense of his credibility.



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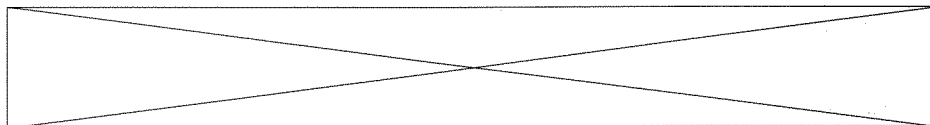
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Posted on Mon, May. 31, 2004

THE SUN NEWS

## EDITORIAL

**Maring in Senate 34****Retired judge is ready to be good senator now**

Three strong Republican candidates are running for the new Georgetown-Horry-focused S.C. Senate District 34 seat: David Maring, a retired circuit judge; Ricky Horne, residents representative for the Litchfield Company; and Ray Cleary, a dentist. Maring's candidacy gives residents of the district a chance to elect a senator who could be effective right away. He garners The Sun News' recommendation.

Supporters of the other candidates disparage the gentleman for being a lawyer, stating that the General Assembly is overpopulated with them. Not true. Of the 46 current S.C. senators, only 12 are lawyers. And because Maring used to be a circuit judge, he already knows most S.C. legislators because legislators elect judges. He knows the Statehouse and its political rhythms well. And because circuit judges rotate to courthouses statewide, he knows the state's principal business and political leaders.

Chief among the district's needs are better roads, especially a connector between Carolina Bays Parkway or S.C. 707 and U.S. 701 on the west side of the Waccamaw River. All three candidates support construction of this road. Cleary would pay for this and other district roads with a local option gasoline tax. Horne favors raising the state gas tax enough to accommodate new coastal road construction.

Maring, in contrast, opposes raising the gas tax, saying the real cause for the district's roads deficit is insufficient political clout. Though he does not rule out a gas tax at some point in the future, he notes that raising it now would harm lower-income residents in a time of high gas prices and unemployment.

What's most attractive about Maring's candidacy, however, is the thoughtfulness with which he approaches difficult issues. He understands that true conservatism lies less in high-volume legislative output than in changing laws only when it can be demonstrated they no longer work.

Horne and Cleary, both bright and politically aware, could make competent senators in time. But District 34 voters should prefer Maring on June 8 because he is ready to be a senator now. The winner of the primary takes the seat, as no Democrat filed for it.

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